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**OCT 30 1995**

In re Application of  
Gabriele Bungart  
Application No. 08/420,241  
Filed: April 11, 1995  
Attorney Docket No. 1779

: OFFICE OF PETITIONS  
: A/C PATENTS  
: DECISION GRANTING PETITION  
:  
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This is a decision on the petition filed August 28, 1995, requesting that the above-identified application be treated as a regular continuation application under 35 U.S.C. 111 and 37 CFR 1.53(b), and be accorded a filing date of April 11, 1995.

On April 11, 1995, the application was deposited.

On May 3, 1995, Application Division mailed a Notice stating that a copy of the declaration filed in the parent application was missing and stating the filing date of the application would be the date of receipt of the missing declaration.

On May 30, 1995, a petition including a copy of a declaration and a \$130.00 surcharge were filed. This petition was construed as requesting that the application be considered as a proper filing under 37 CFR 1.60 in a decision dismissing petition mailed September 24, 1995.

On August 28, 1995, the instant petition was filed. Petitioner requests that the application be converted from an application filed under 37 CFR 1.60 to an application filed under 35 USC 111 and 37 CFR 1.53(b). The instant petition was just recently matched up with the application file.

The petition filed August 28, 1995 is granted.

Receipt is acknowledged of the information disclosure statement filed September 21, 1995.

The application is being returned to Application Division for further processing as a regular continuation application under 35 USC 111 and 37 CFR 1.53, not an application under 37 CFR 1.60, with a filing date of April 11, 1995, using the application papers filed April 11, 1995.

Telephone inquiries related to this decision should be directed to the Office of Petitions staff at (703) 305-9282.



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